



CITY OF MORGAN HILL

17555 PEAK AVENUE, MORGAN HILL, CALIFORNIA 95037-4128 (408) 779-7247

Website Address: www.morgan-hill.ca.gov / Email: General@ch.morgan-hill.ca.gov

PLANNING COMMISSION

TUESDAY, FEBRUARY 12, 2002

CITY COUNCIL CHAMBERS

CIVIC CENTER

17555 PEAK AVENUE

MORGAN HILL, CA

COMMISSIONERS

CHAIR BARBARA SULLIVAN

VICE-CHAIR PATRICIA MCMAHON

COMMISSIONER GENO ACEVEDO

COMMISSIONER ROBERT J. BENICH

COMMISSIONER RALPH LYLE

COMMISSIONER JOSEPH MUELLER

COMMISSIONER CHARLES D. WESTON

7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: January 15, 2002 and January 22, 2002

OLD BUSINESS:

1. **ZONING AMENDMENT, ZA-01-18/SUBDIVISION, SD-01-04/DEVELOPMENT AGREEMENT, DA-01-02: MCLAUGHLIN-JONES:** A request for approval of a 9-lot subdivision of a 2.15-acre parcel located on the east side of McLaughlin Ave., north of Central Ave. in the R-2 3,500 zoning district. Also requested is the approval of a precise development plan (RPD zoning designation) and the approval of a project development agreement. A mitigated negative declaration is proposed. (APN's 726-24-002, 003, 005-007)

Recommendation: Adopt Resolution Nos. 01-69 (zoning amendment), 01-70 (subdivision) and 01-71 (development agreement) denying requests, with recommendation to forward the zoning amendment and development agreement request to the City Council for denial.

2. **ZONING AMENDMENT, ZA-01-24: CITY OF MORGAN HILL-ZONING TEXT AMENDMENT/FENCE HEIGHT:** A proposed amendment to Section 18.56.150 of the Morgan Hill Municipal Code to allow an exception to the three (3) foot maximum fence height for fences located to the front of the front building setback line. The proposed amendment would allow a fence height to be increased to a maximum of six (6) feet in the OS, Open Space and Residential Estate 10 acre, 100,000 and 40,000 zoning districts.

Recommendation: Adopt Resolution 02-08, with recommendation to forward to the City Council for approval.

INFORMATION ITEM:

3. **REVIEW OF THE WATER, SEWER AND STORM DRAIN MASTER PLANS:** The Planning Commissioners are asked to review the Water, Sewer and Storm Drain Master Plans for consistency with the General Plan.

NEW BUSINESS:

4. **ZONING AMENDMENT, ZA-97-08: HILL-GERA:** A request for a pre-zoning of a 19.5 acre area located on the west side of Hill Rd. between Pear Dr. and the southerly boundary of the El Dorado subdivision located on the south west corner of the Hill Rd. and Diana Ave. intersection. The pre-zoning proposed is RE 40,000. (APN 728-08-014 & 015, 728-07-047,048, 050 & 051)

Recommendation: Approve the Mitigated Negative Declaration, and Adopt Resolution No. 02-09, with recommendation to forward to the City Council for approval.

5. **USE PERMIT, UP-01-06: CHURCH-COMMUNITY SOLUTIONS:** A request for approval of a conditional use permit to establish a corporate administrative and counseling offices of 8,142 sq ft in the M-L, Light Industrial zoning district located at 16264 Church St. (APN 817-05-057)

Recommendation: Adopt Resolution No. 02-10, approving request.

6. **USE PERMIT, UP-01-07: E. MAIN-NEXTEL:** A request for approval of a conditional use permit to replace an existing stadium light pole with a similar pole, attach a 6-8 foot telecommunication antenna to the new pole and place a 12'x30' ground shelter near the new pole. Site location is the football stadium at Live Oak High School, 1505 E. Main Ave, in a PF, Public Facilities zoning district. (APN 728-28-014)

Recommendation: Adopt Resolution No. 02-11, approving request.

7. **USE PERMIT AMENDMENT, UPA-00-08: SAN PEDRO-TOWN CATS:** A request for approval of an amendment to an approved conditional use permit at 105C San Pedro Ave., in a ML/MG zoning district. The amendment would allow Town Cats, a cat shelter/adoption center to increase the size of the center from 1,000 sf. to 2,000 sf. & also increase the number of cats allowed in the shelter from 30 cats up to a maximum of 90 cats. (APN 817-01-052)

Recommendation: Adopt Resolution No. 02-12, approving request.

8. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-99-04: E. DUNNE-MORGAN MEADOWS:** A request to amend the development agreement for a 19-unit single family subdivision located on the southwest corner of E. Dunne Ave. and Hill Rd., to extend the deadline to commence construction.. (APNs 817-74-002 thru 004, 007, 010, & 012 thru 025)

Recommendation: Adopt Resolution No. 02-13, with recommendation to forward to City Council for approval.

9. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-00-07: E. DUNNE-TROVARE:** A request to amend the development agreement for the 36 Ph. II units of a 54-unit single family subdivision located on the south side of E. Dunne Ave., adjacent to the church located at 1790 E. Dunne Ave., to extend the deadline to commence construction. (APN 817-19-049 & -051)

Recommendation: Adopt Resolution No. 02-14, with recommendation to forward to City Council for approval.

10. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-01-01: E. DUNNE-TROVARE PH III:** A request to amend the development agreement for the 14 Ph. III units of a 54-unit single family subdivision located on the south side of E. Dunne Ave., adjacent to the church located at 1790 E. Dunne Ave., to extend the deadline to commence construction. (APN 817-19-049 & -051)

Recommendation: Adopt Resolution No. 02-15, with recommendation to forward to City Council for approval.

11. **ZONING AMENDMENT, ZAA-00-11: E. DUNNE-TROVARE:** A request for approval to amend the precise development plan for a 54-unit single family subdivision located on the south side of E. Dunne Ave., adjacent to the church located at 1790 E. Dunne Ave. The request is to relocate/interchange units throughout the development. (APN 817-19-049 & -051)

Recommendation: Adopt Resolution No. 02-16, with recommendation to forward to City Council for approval.

OTHER BUSINESS:

12. **METHODOLOGY FOR ASSIGNING POINTS FOR OVERALL PROJECT EXCELLENCE UNDER THE QUALITY OF CONSTRUCTION CATEGORY OF MEASURE P:**

Recommendation: Discussion

13. **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) QUARTERLY REPORT:**

Recommendation: Approve by minute action, with recommendation to forward to City Council for approval.

TENTATIVE UPCOMING AGENDA ITEM FOR THE FEBRUARY 26, 2002 SPECIAL MEETING:

- Catholic High School Draft Final Environmental Impact Report

TENTATIVE UPCOMING AGENDA ITEMS FOR THE FEBRUARY 26, 2002 REGULAR MEETING:

- MP-01-01: Peet-Alicante
- MP-01-02: Cochrane-Coyote Estates
- MP-01-03: Mission View-Mission Ranch
- MP-01-04: Tilton-Glenrock/Shea Homes
- MP-01-05: Llagas-Delco Builders
- MP- 01-06: Hill-Gera
- MP-01-07: Shaffer-Bamdad
- MP-01-08: Barrett-Ditri
- MP-01-09: Central-Warmington
- MP-01-10: Central-South Valley Developers
- MP-01-11: Sunnyside-South Valley Developers

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.